

### **REMARKS**

Claims 1, 2, 4-11 and 13-27 remain pending in the present application. Currently, Claims 4-6, 8-10 and 14-21 are withdrawn from further consideration at this time. The claims have not been amended in response to the above identified Office Action.

### **REJECTION UNDER 35 U.S.C. § 102**

Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Ghoshal (U.S. Pat. No. 6,474,074). Applicant respectfully traverses this rejection. Applicant does not believe that Ghoshal is a proper 35 U.S.C. § 102(b) reference. Ghoshal was filed on November 30, 2000; published on May 30, 2002 and issued on November 5, 2002. The present application was filed in the U.S. on March 21, 2001. Thus, the one year requirements for 35 U.S.C. § 102(b) have not been met and Ghoshal is not a proper 35 U.S.C. § 102(b) reference.

While we do not believe that Ghoshal is a proper reference under 35 U.S.C. § 102(b), Ghoshal may be a reference under 35 U.S.C. § 102(e). The present application claims priority to JP 2000-83918 filed March 24, 2000; JP 2000-214204 filed July 14, 2000; JP 2000-214333 filed July 14, 2000; and JP 2000-214449 filed July 14, 2000. Enclosed is a verified translation of priority application JP 2000-214333 which was filed in Japan on July 14, 2000. This verified translation is being filed to overcome any rejection using Ghoshal under 35 U.S.C. § 102(e) by perfecting the claim to priority to the Japanese application. Applicant believes the elected species of Figures 10-22 and pending independent Claims 1 and 22 are supported by this application.

Thus, Applicant believes Claim 1 patentably distinguishes over the cited prior art. Likewise, Claims 2, 7, 11, 13, 26 and 27 which ultimately depend from Claim 1 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### **REJECTION UNDER 35 U.S.C. § 103**

Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghoshal (U.S. Pat. No. 6,474,074) in view of Nagakabe (JP 02-000022377A). Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghoshal (U.S. Pat. No. 6,474,074) in view of Inoue (U.S. Pat. No. 6,016,966). Claim 13 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghoshal (U.S. Pat. No. 6,474,074) in view of Watt (U.S. Pat. No. 4,127,105). Claims 7, 11 and 13 ultimately depend from Claim 1. As stated above, Ghoshal is not a valid 35 U.S.C. § 102 reference and therefore it cannot be a valid 35 U.S.C. § 103 reference. Because Claim 1 is believed to patentably distinguish over the art of record, dependent Claims 7, 11 and 13 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claims 22 through 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ghoshal (U.S. Pat. No. 6,474,074) in view of Iritani, et al. (U.S. Pat. No. 5,983,652). Applicant does not believe that Ghoshal is a valid 35 U.S.C. § 102 reference and therefore it cannot be a valid 35 U.S.C. § 103 reference.

Thus, Applicant believes Claim 22 patentably distinguishes over the art of record. Likewise, Claims 23-25 which depend from Claim 22 are also believed to patentably

distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

#### REJOINDER

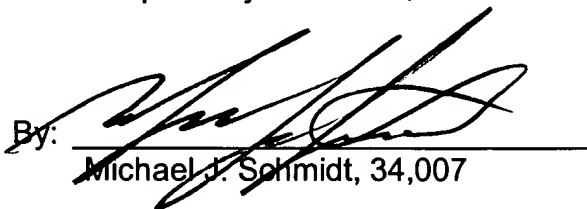
Applicant respectfully requests the rejoinder of currently withdrawn Claims 4-6, 8-10 and 14-21.

#### CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: May 10, 2004

By:   
Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

MJS/pmg